

**IN THE SUPREME COURT OF MISSISSIPPI
No. 2015-FC-01317-SCT**

ROBERT SWINDOL

APPELLANT

v.

AURORA FLIGHT SCIENCES
CORPORATION

APPELLEE

**BRIEF IN SUPPORT OF MOTION FOR LEAVE TO FILE BRIEF OF AMICUS
CURIAE BY THE NATIONAL RIFLE ASSOCIATION OF AMERICA, INC.**

The National Rifle Association of America, Inc. (“NRA”) respectfully requests that this Court allow it to file an amicus brief opposing Appellee’s motion for rehearing in this important matter. The NRA meets the requirements for filing an amicus brief because its proposed brief presents “matters of fact or law that may otherwise escape the court’s attention.” M.R.A.P. 29(a)(3). The NRA is America’s foremost and oldest defender of the fundamental right to keep and bear arms. Founded in 1871, the NRA has approximately five million members and is America’s leading provider of firearms marksmanship and safety training for civilians. The NRA actively supported the passage of Mississippi’s law and others like it. *See, e.g., Governor Barbour Signs Castle Doctrine, Other NRA-Backed Gun Provisions Into Law!*, NRA-ILA, Mar. 29, 2006, <https://goo.gl/emdc6i>. And it consistently has worked to defend those laws in court. *See Mitchell v. University of Ky.*, 366 S.W.3d 895, 896–97 (Ky. 2012) (NRA participated as amicus); *Ramsey Winch Inc. v. Henry*, 555 F.3d 1199 (10th Cir. 2009) (same); *Florida Retail Fed’n, Inc. v. Attorney Gen. of Fla.*, 576 F. Supp. 2d 1301, 1302 (N.D. Fla. 2008) (NRA intervened as defendant). The NRA thus brings a unique perspective to the important issues at stake in this case.

In addition, the NRA “has substantial legitimate interests that will likely be affected by the outcome of the case . . . which . . . will not be adequately protected by those already parties to the case.” M.R.A.P. 29(a)(4). The NRA has a vital interest in the outcome of this case. The NRA has tens of thousands of members in Mississippi, and if this Court were to grant Appellee’s motion for rehearing and rule in Appellee’s favor, that decision would vitiate the rights of NRA members and the other law-abiding citizens of this State, rights that the Mississippi Legislature deliberately acted to protect. What is more, the effects of such a ruling could extend beyond Mississippi, as courts in other states may look to any ruling by this Court as persuasive authority. In recent years, the legislatures of more than 20 states have taken steps to protect the right of employees to keep firearms in locked vehicles parked in employer parking lots. *See, e.g.,* Ethan T. Stowell, Note, *Top Gun: The Second Amendment, Self-Defense, and Private Property Exclusion*, 26 REGENT U. L. REV. 521, 522 n.9 (2013–14). It is imperative that the courts not effectively repeal these laws by refusing to enforce them against law-breaking employers.

For the foregoing reasons, the NRA respectfully seeks leave to file an amicus brief.

Dated this the 14th day of April, 2016.

Respectfully submitted,

National Rifle Association of America, Inc.

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CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true and correct copy of the foregoing via the Mississippi Supreme Court's CM/ECF system on:

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This the 14th day of April, 2016.

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